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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cary L. Bates, et al. : Date: June 28, 2005
Serial No.: 09/591,331 : Group Art Unit: 2681
Filed: June 9, 2000 : Confirmation No.: 2720
For: PORTABLE PHONE THAT CHANGES : Examiner: J. Gelin
FUNCTION ACCORDING TO ITS
SELF-DETECTED GEOGRAPHICAL
POSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
INDICATED IN NOTICE OF ALLOWANCE (37 C.F.R. § 1.705)**

1. This request for reconsideration of the patent term adjustment indicated in the Notice of Allowance mailed April 26, 2005.

☒ The issue fee is being paid as set forth in the papers attached hereto.

2. Applicants submit herewith a "Statement of the Correct Patent Term Adjustment: Basis(es) Under § 1.702 For the Adjustment--Part B." (37 C.F.R. § 1.705(b)(2)(i) and (ii)).

3. Any patent granted on this application (37 C.F.R. § 1.705(b)(2)(iii)):

☒ is not subject to a terminal disclaimer.

☐ is subject to a terminal disclaimer, and the expiration date specified in the terminal disclaimer is _____.

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4. As to circumstances during the prosecution of this application constituting a failure to engage in reasonable efforts to conclude processing or examination of this application as set forth in § 1.704 (37 C.F.R. § 1.705(b)(2)(iv)):

- ☐ there were none (37 C.F.R. §1.705(b)(2)(iv)(B)).
- ☒ these were as follows (37 C.F.R. § 1.705 (b)(2)(iv)(A)):

Applicants mailed a response (Amendment) to the 7/25/2003 Non-Final Office Action on 10/25/2003. The USPTO appears to have received this response on 10/30/2003.

Applicants mailed a response (Request for Reconsideration) to the 1/13/2004 Non-Final Office Action on 5/12/2004. The USPTO appears to have received this response on 5/17/2004.

Applicants mailed a response (Request for Reconsideration) to the 8/31/2004 Non-Final Office Action on 11/29/2004. The USPTO appears to have received this response on 12/02/2005.

5. Also attached hereto is a "Request For Reinstatement for ☐ All and/or ☐ Part of the Period of Adjustment Reduced Pursuant to § 1.704(b) -- Part C." (37 C.F.R. § 1.705(c)).

6. The fee set forth in § 1.18(e) (\$200.00), required by 37 C.F.R. § 1.705(b)(1), is paid as follows:

☐ Attached is a ☐ check ☐ money order in the amount of \$_____.

☒ Authorization is hereby made to charge the amount of \$200.00.

☒ to Deposit Account No. 09-0465

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

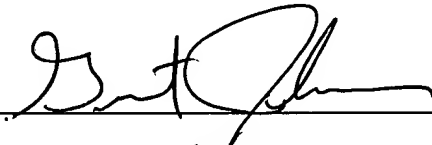
☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of his paper is attached.

Date: June 28, 2005

Respectfully submitted,

By



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Statement of the Correct Patent Term Adjustment: Basis(es) Under § 1.702 For the Adjustment.” (37 C.F.R. § 1.705(b)(2)(i) and (ii))

Applicants filed the above-identified application on 6/09/2000. The USPTO issued a Notice of Allowance on 4/26/2005, which suggests that the resulting patent will issue on 10/26/2005. Because this pendency will be greater than three years, Applicants are entitled to a patent term adjustment by 37 C.F.R. § 1.702(b).

Applicants filed the above-identified application on 6/09/2000. The USPTO issued a first action on 7/25/2003. Because this period is greater than fourteen months, Applicants are entitled to a patent term adjustment by 37 C.F.R. § 1.702(a)(1)

In view the long pendency and/or late first office action, of the above-identified application, Applicants are entitled to a positive term adjustment of 870 days under 37 C.F.R. § 1.702.